

09-22-03

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/746660-Conf. #1463	
	Filing Date	December 22, 2000	
	First Named Inventor	Gregor Haberhauer	
	Art Unit	1635	
	Examiner Name	J. Zara	
Total Number of Pages in This Submission	1	Attorney Docket Number	BGI-121CP2

RECEIVED

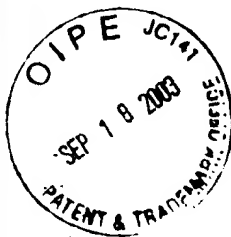
SEP 25 2003

TECH CENTER 1600/2900

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	LAHIVE & COCKFIELD, LLP Lisa M. DiRocco - 51,619
Signature	
Date	September 18, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 309 882 938 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: September 18, 2003	Signature: Lisa M. DiRocco



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,970.00

Complete if Known

Application Number 09/746660-Conf. #1463
Filing Date December 22, 2000
First Named Inventor Markus Pompejus
Examiner Name J. Zara
Art Unit 1635
Attorney Docket No. BGI-121CP2

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

12-0080

Deposit Account Name

Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

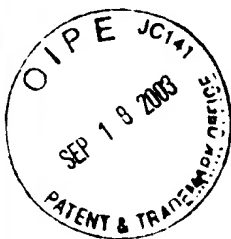
1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-**=	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	-**=	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>
Multiple Dependent					<input type="text"/>	=	<input type="text"/>



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Dated: September 18, 2003 Signature: _____

(Lisa M. DiRocco)

Docket No.: BGI-121CPZ
(PATENT)
SEP 26 2003

TECH CENTER 1600/2994

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Markus Pompejus, *et al.*

Application No.: 09/746660

Confirmation No.: 1463

Filed: December 22, 2000

Art Unit: 1635

For: CORYNEBACTERIUM GLUTAMICUM
GENES ENCODING METABOLIC
PATHWAY PROTEINS

Examiner: J. Zara

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to the Restriction Requirement dated March 26, 2003

(Paper No. 13).

Election/Restriction

The Examiner has required restriction between:

- I. Claims 1-19, 23, 27, drawn to nucleic acids and host cells, classified in class 536, Subclass 23.5.
- II. Claims 20-22, 24-27, drawn to polypeptides, classified in class 530, subclass 350.
- III. Claims 28, 29-40, drawn to methods of producing fine chemicals, classified in class 435, subclass 487.
- IV. Claims 41-47, drawn to methods of modulating yield of fine chemical, classified in class 435, subclasses 6 and 487.

Applicants hereby elect Group III (claims 28 and 29-40), *without traverse*, under 35 U.S.C. §121 for prosecution in the present application.

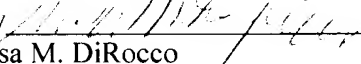
Application No.: 09/746660

Docket No.: BGI-121CP2

Applicants believe no fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. BGI-121CP2, from which the undersigned is authorized to draw.

Dated: September 18, 2003

Respectfully submitted,

By 
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